

## **ACKNOWLEDGMENTS**

1. The Examiner acknowledges receipt of the amendment filed 5/24/10 wherein claims 1-31, 35-44, 51, 52, and 55-57 were canceled and claims 32, 48, and 54 were amended. In addition, the Examiner acknowledges the acceptable terminal disclaimer filed 5/24/10.

## **EXAMINER'S AMENDMENT**

2. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this Examiner's amendment was given in a telephone interview with Ms. Beverly Lyman on 5/28/10.

The application has been amended as follows.

**Claim 32, lines 9-10**, replace 'alcohol, isopropyl alcohol, glycerol, a polyol, hydrogenated starch hydrolysate (HSH), isomalt (palitinit), polyglycerol, maltodextrin, starches, polysaccharides, and combinations thereof' with –polyol, isomalt, starch, polysaccharide, and combinations thereof–.

**Cancel claim 48.**

**Replace claim 50 with the following.**

50. (CURRENTLY AMENDED) The method of claim 49 wherein the polyol is polyglycerol.

**Add the following claims.**

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58. (NEW) The method of claim 49 wherein the polyol is glycerol.

59. (NEW) The method of claim 32 wherein the starch is a hydrogenated starch hydrolysate.

60. (NEW) The method of claim 32 wherein the polysaccharide is maltodextrin.

### **COMMENTS/NOTES**

3. Claims 32-34, 45-47, 49, 50, 53, 54, and 58-60 are allowable over the prior art of record. In particular, the claims are distinguished over the prior art of record because the prior art neither anticipates nor renders obvious the method as set forth in independent claim 32.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to D L. Jones whose telephone number is (571)272-0617. The examiner can normally be reached on Mon.-Fri., 6:45 a.m. - 3:15 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Hartley can be reached on (571) 272-0616. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/D L. Jones/  
Primary Examiner  
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June 2, 2010